



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278

October 10, 2024

**By ECF**

Honorable J. Paul Oetken  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Brian Benjamin*, S2 21 Cr. 706 (JPO)**

Dear Judge Oetken:

The Government, having conferred with Darren LaVerne, Esq., counsel for Brian Benjamin, respectfully submits this joint letter to the Court. On May 7, 2024, the parties submitted a joint letter regarding Benjamin's intent to file a petition for certiorari and proposing to submit a status letter to the Court on or before October 11, 2024. Benjamin has since filed his petition, and the United States is scheduled to file its response on November 8, 2024. The parties therefore propose to submit a further status letter to the Court on or before December 20, 2024. The parties further request that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from today through December 20, 2024, to permit the certiorari process to proceed.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney  
Southern District of New York

Granted. The parties are directed to file a joint status letter by December 20, 2024. The Court hereby excludes time through December 20, 2024, under the Speedy Trial Act, 18 USC 3161(h)(7)(A), finding that the ends of justice outweigh the best interests of the public and the defendant in a speedy trial.

So ordered:  
10/11/2024

By: /s/

Celia V. Cohen  
Assistant United States Attorney  
Tel: (914) 993-1921

  
J. PAUL OETKEN  
United States District Judge